

Exhibit 1
to CALA's *Amicus* Motion

Consultation Emails

Todd Kincannon

From: Todd Kincannon
Sent: Thursday, June 30, 2011 8:50 PM
To: 'shawn@manganolaw.com'
Subject: Amicus Brief Filings by Citizens Against Litigation Abuse, Inc.

Mr. Mangano:

As you know, I represent Citizens Against Litigation Abuse, Inc. ("CALA"), a South Carolina nonprofit corporation with an interest in Righthaven matters. CALA intends to file one or more motions seeking leave to file *amicus curiae* briefs in other Righthaven cases.

The briefs will contain material substantially similar to that presented in CALA's three prior filings regarding Righthaven, which have already been provided to Righthaven:

A Petition for Original Jurisdiction and accompanying documents filed 6-27-2011 in *CALA v. Righthaven*, presently pending in the Supreme Court of South Carolina.

A motion for leave to file an *amicus curiae* brief, and the accompanying brief, filed 6-27-2011 in *Righthaven v. Pahrump Life*, 2:10-cv-01575-JCM-PAL (D.Nev.) (Doc. #48 and #48-1).

A motion for leave to file an *amicus curiae* brief, and the accompanying brief, filed 6-28-2011 in *Righthaven v. Democratic Underground*, 2:10-cv-01356-RLH-GWF (D.Nev.) (Doc. #124 and #124-1).

In *Righthaven v. Pahrump Life*, Judge Mahan has already granted the motion for leave to file the *amicus curiae* brief, stating "The court has reviewed the proposed brief and agrees that it may be useful to the court in ruling on the pending order to show cause why the case should not be dismissed for lack of standing (doc. #21)." Order of 6-29-2011, Doc. #54, *id.*

The matters discussed in the *amicus* brief filed in *Righthaven v. Pahrump Life* have identical application to all other Righthaven cases, and if it is useful to Judge Mahan in that action, it would seem to be useful to other judges presiding over these matters. Accordingly, I seek Righthaven's general consent to file briefs containing substantially similar material to the above filings in all Righthaven cases, excepting cases where I already represent another party.

Todd Kincannon



THE KINCANNON FIRM

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Todd Kincannon

From: Todd Kincannon
Sent: Thursday, June 30, 2011 8:56 PM
To: 'jmd@randazza.com'
Subject: Righthaven: Amicus Brief Filings by Citizens Against Litigation Abuse, Inc.
Attachments: CALA v. Righthaven.pdf; CALA DU Amicus Brief.pdf; CALA DU Amicus Motion.pdf; CALA Pahrump Life Amicus Brief.pdf; CALA Pahrump Life Amicus Motion.pdf

Mr. DeVoy:

As you may know, I represent Citizens Against Litigation Abuse, Inc. ("CALA"), a South Carolina nonprofit corporation with an interest in Righthaven matters. CALA intends to file one or more motions seeking leave to file *amicus curiae* briefs in Righthaven cases.

The briefs will contain material substantially similar to that presented in CALA's three prior filings regarding Righthaven:

A Petition for Original Jurisdiction and accompanying documents filed 6-27-2011 in *CALA v. Righthaven*, presently pending in the Supreme Court of South Carolina, which I have attached for your convenience and review.

A motion for leave to file an *amicus curiae* brief, and the accompanying brief, filed 6-27-2011 in *Righthaven v. Pahrump Life*, 2:10-cv-01575-JCM-PAL (D.Nev.) (Doc. #48 and #48-1), also attached.

A motion for leave to file an *amicus curiae* brief, and the accompanying brief, filed 6-28-2011 in *Righthaven v. Democratic Underground*, 2:10-cv-01356-RLH-GWF (D.Nev.) (Doc. #124 and #124-1), also attached.

In *Righthaven v. Pahrump Life*, Judge Mahan has already granted the motion for leave to file the *amicus curiae* brief, stating "The court has reviewed the proposed brief and agrees that it may be useful to the court in ruling on the pending order to show cause why the case should not be dismissed for lack of standing (doc. #21)." Order of 6-29-2011, Doc. #54, *id.*

The matters discussed in the *amicus* brief filed in *Righthaven v. Pahrump Life* have identical application to all other Righthaven cases, and if it is useful to Judge Mahan in that action, it would seem to be useful to other judges presiding over these matters.

My understanding is that your firm, Randazza Legal Group, represents defendants in multiple Righthaven matters. Accordingly, I seek your general consent to file briefs containing substantially similar material to the above filings in all of your firm's Righthaven cases, excepting cases where I already represent another party.

Todd Kincannon



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